



To the Honorable Council  
City of Norfolk, Virginia

March 22, 2016

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Change of zoning from I-2 (Light Industrial) to conditional C-2 (Corridor Commercial), a Mixed Use Special Exception and an Entertainment Establishment Special Exception at 2410-2414 Colonial Avenue and 433-435 W. 25<sup>th</sup> Street – Cristina Angelo**

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/7

Approved:

Marcus D. Jones, City Manager

Item Number:

**PH-4**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval** of the requests.
- III. **Request:** Change of zoning to Corridor Commercial, a Mixed Use Special Exception and an Entertainment Establishment Special Exception.
- IV. **Applicant:** Cristina Angelo
- V. **Description:**
  - The site consists of two parcels, both of which are zoned industrially.
  - Each parcel contains a structure that appears to be residential, but have been used for commercial purposes.
  - The applicant proposes to convert the existing home at 2410 Colonial Avenue to an entertainment establishment with alcoholic beverages on the first floor and one residential unit on the 2<sup>nd</sup> and 3<sup>rd</sup> floors.
  - The structure at 2414 will continue to be used for commercial purposes.
  - Both buildings are contributing structures to the Park Place Historic district and the applicant has proffered that any modifications will be in accordance with the Virginia Department of Historic Resources or the Norfolk Architectural Review Board.

	Proposed
Hours of Operation	7:00 a.m. until 2:00 a.m., Monday through Friday 8:00 a.m. until 2:00 a.m., Saturday and Sunday
Hours for the Sale of Alcoholic Beverages and Entertainment	10:00 a.m. until 2:00 a.m., seven days a week
Capacity	44 seats indoors 82 seats outdoors 138 total capacity
Entertainment	<ul style="list-style-type: none"> <li>• 5-member live band</li> <li>• Karaoke</li> <li>• Comedian</li> <li>• Poetry Reading</li> </ul>

Staff point of contact: Susan Pollock at 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

Attachments:

- Staff Report to CPC dated February 25, 2016 with attachments
- Proponents and Opponents
- Ordinances



**Planning Commission Public Hearing: February 25, 2016**

Executive Secretary: George M. Homewood, AICP, CFM

Planner: Susan Pollock Hart, CFM

<b>Staff Report</b>	<b>Item Numbers: 4</b>	
<b>Addresses</b>	<b>2410-2414 Colonial Avenue; 433-435 W. 25<sup>th</sup> Street</b>	
<b>Applicant</b>	<b>Cristina Angelo</b>	
<b>Requests</b>	<b>Rezoning</b>	<b>I-2 (Light Industrial) to conditional C-2 (Corridor Commercial)</b>
	<b>Special Exceptions (2410 Colonial Avenue)</b>	<b>a. Entertainment Establishment with alcoholic beverages</b> <b>b. Mixed Use (residential unit above commercial)</b>
<b>Property Owner</b>	<b>Southern Bank and Trust Co. c/o Craig Reed</b>	
<b>Site Characteristics</b>	<b>Total Site Area/ Buildings</b>	10,500 sq. ft. 2,466 sq. ft. (2410 Colonial Avenue) 1,516 sq. ft. (2414 Colonial Avenue)
	<b>Future Land Use Map</b>	<b>Commercial</b>
	<b>Zoning</b>	<b>I-2</b>
	<b>Neighborhood</b>	<b>Park Place/Midtown Industrial District</b>
	<b>Character District</b>	<b>Traditional</b>
<b>Surrounding Area</b>	<b>North</b>	<b>I-1 (Limited Industrial): Park Food Store</b>
	<b>East</b>	<b>I-2: Vacant industrial building</b>
	<b>South</b>	<b>C-2: Mixed use (residential above Toast restaurant)</b>
	<b>West</b>	<b>I-2: Goodwill Baptist Church and Buckstaff Public Safety</b>



**A. Summary of Request**

- The sites are located on the southeast corner of W. 25<sup>th</sup> Street and Colonial Avenue.
- The applicant is proposing to utilize the existing structures; the building to the south as a restaurant with residential above, and the building to the north for commercial uses.

**B. Plan Consistency**

The proposed rezoning and special exceptions are consistent with *plaNorfolk2030*, which designates this site as commercial.

**C. Zoning Analysis**

**i. General**

- The site consists of two parcels, both of which are zoned industrially.
- Each parcel contains a structure that appears to be residential, but have been used for commercial purposes.
- The applicant is proposing to convert the existing home at 2410 Colonial Avenue to an entertainment establishment with alcoholic beverages on the first floor and one residential unit on the 2<sup>nd</sup> and 3<sup>rd</sup> floors.
- The structure at 2414 will continue to be used for commercial purposes.
- To accommodate the proposed uses, the applicant is requesting the following:
  - Both sites be rezoned to C-2 (Corridor Commercial)
  - Special exceptions for an entertainment establishment and mixed use for 2410 Colonial Avenue.

	Proposed
Hours of Operation	7:00 a.m. until 2:00 a.m., Monday through Friday 8:00 a.m. until 2:00 a.m., Saturday and Sunday
Hours for the Sale of Alcoholic Beverages and Entertainment	10:00 a.m. until 2:00 a.m., Seven days a week
Capacity	44 seats indoors 82 seats outdoors 138 total capacity
Entertainment	<ul style="list-style-type: none"><li>• 5-member live band</li><li>• Karaoke</li><li>• Comedian</li><li>• Poetry Reading</li></ul>



## **ii. Parking**

- The existing building at 2414 Colonial Avenue is currently being used for commercial purposes.
  - No additional parking would be required.
- The existing building at 2410 Colonial Avenue was also being used for commercial purposes, but the applicant is proposing to convert the first floor to an entertainment establishment with one residential unit on the two floors above.
  - In the Traditional Character District:
    - The proposed entertainment establishment requires one parking space per 175 square feet; seven parking spaces are required for this use.
    - The residential dwelling unit would require one parking space.
  - Eight parking spaces will be provided to the rear of the site.

## **iii. Flood Zone**

The property is located in the X Flood Zone, which is a low-risk flood zone.

## **D. Transportation Impacts**

### **2410 Colonial Avenue**

- Institute of Transportation Engineers (ITE) figures estimate that that this proposal will generate 233 new vehicle trips per day.
- Based upon ITE data, the existing industrial zoning on this site would be expected to generate 20 weekday trips while the proposed restaurant and residential mixed use on the site would be expected to generate 253 trips on weekdays.
- The site is near transit service with Hampton Roads Transit bus route 11 (Colonial) operating along Colonial Avenue near the site.

### **2414 Colonial Avenue**

- Institute of Transportation Engineers (ITE) figures estimate that this proposal will generate 239 new vehicle trips per day.
- Based upon ITE data, the existing industrial zoning on this site would be expected to generate 31 weekday trips while the proposed combined restaurant, office and residential uses on the site would be expected to together generate 270 trips on weekdays.
- The site is near transit service with Hampton Roads Transit bus route 11 (Colonial) operating along Colonial Avenue near the site.

## **E. Historic Analysis**

Both structures were built in the early 1900's (1904 and 1910) and are listed as contributing structures in the Park Place State and National Registry.

**F. Public School Impacts**

The site is located in the James Monroe Elementary School, Blair Middle School and Maury High School Districts.

**G. Impact on the Environment**

The parking lot located to the rear of the site will be required to be approved through the Site Plan Review process including stormwater management and landscaping.

**H. Impact on Surrounding Area/Site**

- Both properties have been used for commercial properties for some time.
- The adaptive reuse of these buildings for commercial uses is appropriate for this portion of Colonial Avenue.

**I. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**J. Civic League**

- Notice was sent to the Park Place Civic League on December 16.
- A letter supporting the commercial uses and entertainment establishment was received from the Park Place Civic League.

**K. Communication Outreach/Notification**

- Legal notice was posted on the property on December 15.
- Letters were mailed to all property owners within 300 feet of the property on January 15.
- Legal notification was placed in *The Virginian-Pilot* on January 14 and January 21.

**L. Recommendation**

Staff recommends **approval** of both the rezoning and the special exception requests subject to all of the following conditions:

**Entertainment Establishment – Conditions**

- (a) The hours of operation for the establishment shall be limited to 7:00 a.m. to 2:00 a.m., Monday through Friday and from 8:00 a.m. until 2:00 a.m., Saturday and Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The hours of operation for the sale of alcoholic beverages, and for entertainment shall be limited to 10:00 a.m. until 2:00 a.m., seven days a week.
- (c) The seating for the establishment shall not be less than 38 seats indoors, shall not be more than 82 seats outdoors, and the total occupant capacity,



including employees, shall not exceed 138 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.

- (d) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B." Any tables, chairs, booths, stools or other movable furniture may be relocated provided that it remains only within the shaded areas, and the unshaded accesses, aisles, and other areas shown on the floor plans shall remain unobstructed.
- (e) No smoking shall be permitted anywhere in the outdoor dining areas.
- (f) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (g) Entertainment shall be limited to live bands having no more than 5 members, karaoke, comedians and poetry readings. No other form of entertainment is permitted.
- (h) There shall be no dancing and no dance floor provided.
- (i) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."
- (j) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (k) The establishment shall maintain a current, active business license at all times while in operation.
- (l) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.

- (m) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (n) The proposed trashcan receptacles shall be screened by a trash enclosure to meet the following standards:
  - a. The trash enclosure shall not be located within any required front yard or corner side yard.
  - b. The trash enclosure shall be installed where indicated on the site plan marked as "Exhibit C" and attached hereto and shall include a six (6) foot solid wood fence with a locking gate and a concrete walkway, as shown in "Exhibit C".
- (o) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (p) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (q) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (r) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (s) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special



exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

- (t) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (u) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (v) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (w) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.
- (x) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
  - (1) This special exception;
  - (2) Any ABC license(s);
  - (3) Any occupancy permit(s);
  - (4) Certifications of all persons who work on the premises as a security guard;
  - (5) All fire code certifications, including alarm and sprinkler inspection records;
  - (6) Any health department permit(s);

- (7) The emergency action plan required under the Fire Prevention Code;
  - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
  - (9) The establishment's designated driver program; and
  - (10) The establishment's Security Plan.
- (y) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 104 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (z) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

#### **Mixed Use – Conditions**

- (a) Not more than one residential dwelling units shall be located on the property.
- (b) The site shall be redeveloped to provide no fewer than eight new parking spaces on the site, in accordance with the proposed conceptual site plan prepared by *Robyn Thomas Architecture*, dated 12/14 2015, attached hereto and marked as Exhibit A.

#### **Attachments**

Location Map  
Future Land Use Map  
Zoning Map  
1000' radii map of similar alcoholic beverage establishments and public schools  
Applications  
Notice to the Park Place Civic League



## **Proponents and Opponents**

### **Proponents**

Cristina Angelo  
545 Warren Street, #7  
Norfolk, VA 23507

### **Opponents**

None

Form and Correctness Approved: *RAP*

Contents Approved: *AP*

By *[Signature]*  
Office of the City Attorney

By *[Signature]*  
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 2410 TO 2414 COLONIAL AVENUE AND 433 TO 435 WEST 25TH STREET FROM I-2 (LIGHT INDUSTRIAL) DISTRICT TO CONDITIONAL C-2 (CORRIDOR COMMERCIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the properties located at 2410 to 2414 Colonial Avenue and 433 to 435 West 25<sup>th</sup> Street are hereby rezoned from I-2 (Light Industrial) District to conditional C-2 (Corridor Commercial) District. The properties which are the subject of this rezoning are more fully described as follows:

Properties fronting 105 feet, more or less, along the eastern line of Colonial Avenue and 100 feet, more or less, along the southern line of West 25<sup>th</sup> Street; premises numbered 2410 to 2414 Colonial Avenue and 433 to 435 West 25<sup>th</sup> Street.

Section 2:- That the properties rezoned by this ordinance shall be subject to the following condition:


- (a) Any modifications to the exterior of the buildings can only be done in accordance with the Virginia Department of Historic Resources or the Norfolk Architectural Review Board based on the City of Norfolk Historic Design Guidelines.

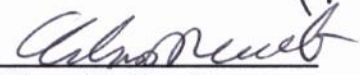
Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 5:- That this ordinance shall be in effect from the date of its adoption.



Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved: 

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT MIXED USES ON PROPERTY LOCATED AT 2410 COLONIAL AVENUE AND 433 TO 435 WEST 25<sup>TH</sup> STREET.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the construction of a mixed use building on property located at 2410 Colonial Avenue. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 53 feet, more or less, along the eastern line of Colonial Avenue beginning 53 feet, more or less, from the southern line of West 25<sup>th</sup> Street and extending southwardly; property also fronts 25 feet, more or less, along the southern line of West 25<sup>th</sup> Street beginning 75 feet, more or less, from the eastern line of Colonial Avenue and extending eastwardly; premises numbered 2410 Colonial Avenue and 433 to 435 West 25<sup>th</sup> Street.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) Not more than one (1) residential dwelling unit shall be located on the property.
- (b) No rooming house shall be operated anywhere on the property.
- (c) The site shall be redeveloped to provide no fewer than eight (8) new parking spaces on the site, in accordance with the proposed conceptual site plan prepared by Robyn Thomas Architecture, dated December 14, 2015, attached hereto and marked as "Exhibit A."

Section 3:- That the City Council hereby determines that the

Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

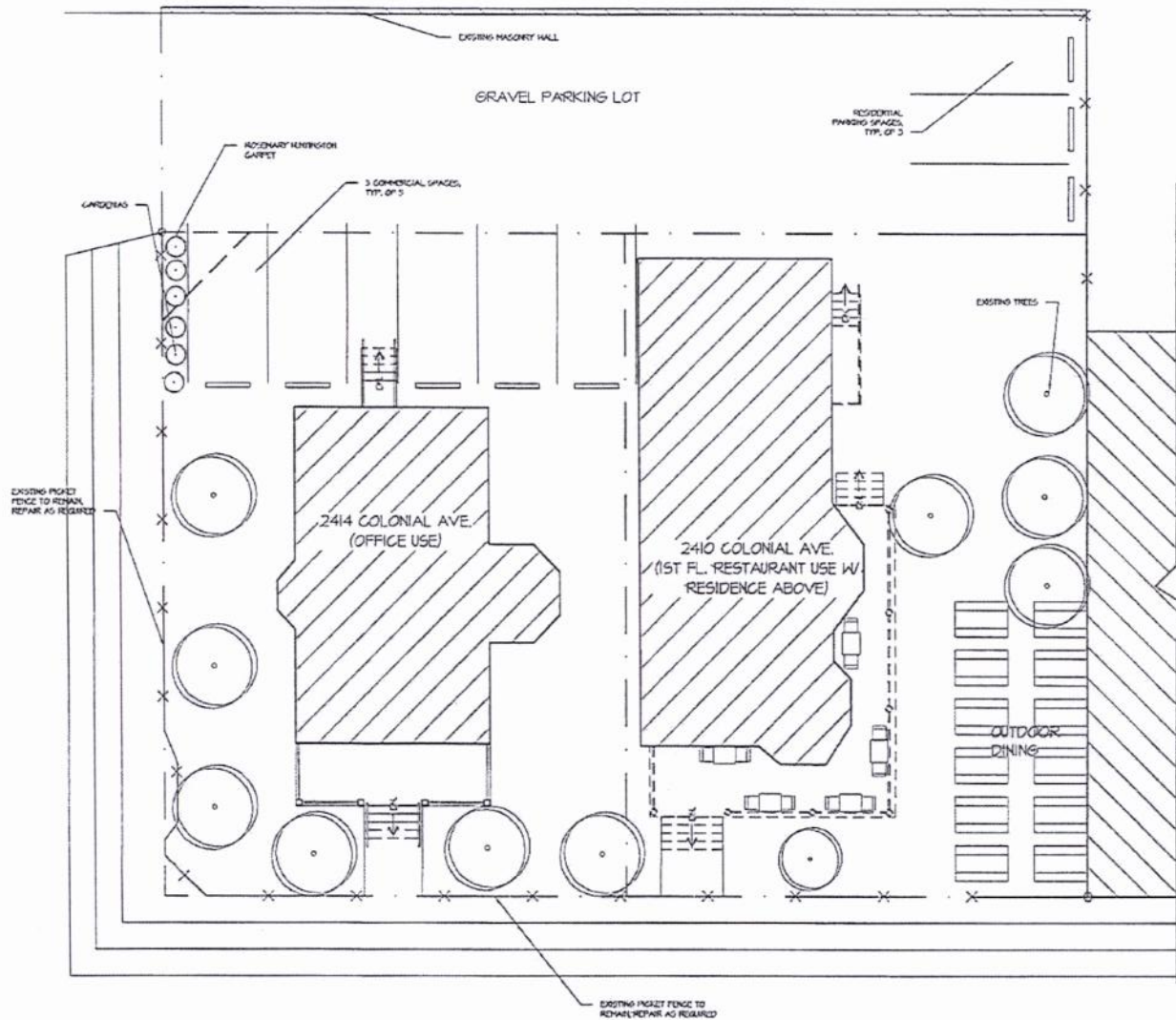
- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;



- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:  
Exhibit A (1 page)



2410/2414 COLONIAL AVE. SITE PLAN  
SCALE: 1" = 20'-0"

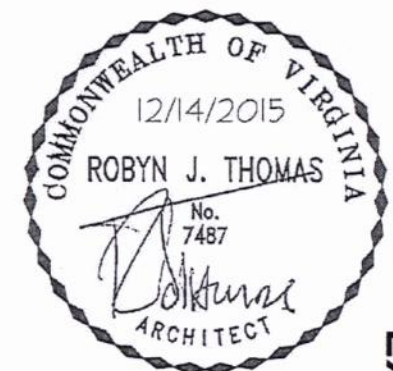
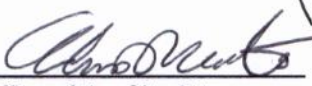


Exhibit A



Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved: 

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE OPERATION OF AN ENTERTAINMENT ESTABLISHMENT WITH ALCOHOLIC BEVERAGES KNOWN AS "MEA CULPA" ON PROPERTY LOCATED AT 2410 COLONIAL AVENUE AND 433 TO 435 WEST 25<sup>th</sup> STREET.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Waffletina, LLC authorizing the operation of an entertainment establishment with alcoholic beverages named "Mea Culpa" on property located at 2410 Colonial Avenue and 433 to 435 West 25<sup>th</sup> Street. The properties which are the subject of this Special Exception are more fully described as follows:

Properties fronting 53 feet, more or less, along the eastern line of Colonial Avenue beginning 53 feet, more or less, from the southern line of West 25<sup>th</sup> Street and extending southwardly; properties also front 25 feet, more or less, along the southern line of West 25<sup>th</sup> Street beginning 75 feet, more or less, from the eastern line of Colonial Avenue and extending eastwardly; premises numbered 2410 Colonial Avenue and 433 to 435 West 25<sup>th</sup> Street.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the establishment shall be limited to 7:00 a.m. until 2:00 a.m. the following morning Monday through Friday and 8:00 a.m. until 2:00 a.m. the following morning on Saturday and Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The hours for the sale of alcoholic beverages and for entertainment shall be limited to 10:00 a.m.

until 2:00 a.m. the following morning, seven days per week.

- (c) The seating for the establishment shall not exceed 51 seats indoors, 82 seats outdoors, and the total occupant capacity, including employees, shall not exceed 141 people.
- (d) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."
- (e) No smoking shall be permitted anywhere in the outdoor dining area.
- (f) No portion of the outdoor dining area shall be enclosed and any covering must leave the dining space with open ventilation on at least three sides.
- (g) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (h) Entertainment shall be limited to live bands having no more than five (5) members, karaoke, comedian, poetry reading, and speakers. No other form of entertainment is permitted.
- (i) There shall be no dancing and no dance floor provided.
- (j) No door to the establishment which opens onto or faces a public right-of-way shall be propped open



during any time that entertainment is being provided.

- (k) The establishment shall maintain a current, active business license at all times while in operation.
- (l) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (m) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (n) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (o) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (p) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (q) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as

represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

- (r) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (s) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (t) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (u) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (v) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.
- (w) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For



purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:

- (1) This special exception;
  - (2) Any ABC license(s);
  - (3) Any occupancy permit(s);
  - (4) Certifications of all persons who work on the premises as a security guard;
  - (5) All fire code certifications, including alarm and sprinkler inspection records;
  - (6) Any health department permit(s);
  - (7) The emergency action plan required under the Fire Prevention Code;
  - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
  - (9) The establishment's designated driver program; and
  - (10) The establishment's Security Plan.
- (x) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 106 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p.m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (y) The written security plan submitted to the City as part of the application for this special exception



and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;

- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (6 pages)

Exhibit B (4 pages)





EXHIBIT "A"  
Description of Operations  
Entertainment Establishment  
(Please Print)

Date 12/14/2015

Trade name of business Mea Culpa

Address of business 2410 Colonial Ave Norfolk, VA 23517, Ste. A

Name(s) of business owner(s)\* Waffletina, LLC Cristina Angelo

Name(s) of property owner(s)\* Southern Bank & Trust Co. c/o Craig Reed

Name(s) of business manager(s)/operator(s) Cristina Angelo and Kris Harvey

Daytime telephone number (757) 805-1727

\* If business or property owner is an LLC or Corporation, all principals must be listed

\* If business or property owner is a partnership, all partners must be listed

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales and Entertainment
Weekday From <u>7AM</u> To <u>2AM</u>	Weekday From <u>10AM</u> To <u>2AM</u>
Friday From <u>7AM</u> To <u>2AM</u>	Friday From <u>10AM</u> To <u>2AM</u>
Saturday From <u>8AM</u> To <u>2AM</u>	Saturday From <u>10AM</u> To <u>2AM</u>
Sunday From <u>8AM</u> To <u>2AM</u>	Sunday From <u>10AM</u> To <u>2AM</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☐ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised May 2013)

**Exhibit A – Page 2**  
**Entertainment Establishment**

4. Will video games, pool tables, game boards or other types of games be provided?  
☒ Yes (If more than 4, additional application required) ☐ No

4a If yes, please describe type and number of each game to be provided:

Assorted board games

5. Will patrons ever be charged to enter the establishment?  
☐ Yes ☒ No

5a. If yes, why:

\_\_\_\_\_

\_\_\_\_\_

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday      Tuesday      Wednesday      Thursday      Friday  
Saturday      Sunday

6. Will the facility or a portion of the facility be available for private parties?  
☒ Yes ☐ No

6a. If yes, explain:

birthday parties, celebrations, etc.

7. Will a third party (promoter) be permitted to lease, let or use the establishment?  
☐ Yes ☒ No

7a. If yes, explain:

\_\_\_\_\_

\_\_\_\_\_

8. Will there ever be a minimum age limit?  
☐ Yes ☒ No



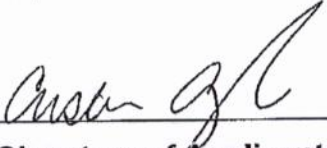
**Exhibit A – Page 3**  
**Entertainment Establishment**

9. Additional comments/description/operational characteristics or prior experience:

---

---

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility

  
\_\_\_\_\_  
Signature of Applicant

**- Floor Plan(s) Worksheet**  
**Entertainment Establishment**

LAYOUT 1 (NO ENTERTAINMENT)

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area)
  - Outdoor seating
  - Total maximum capacity (including employees)

**1. Total capacity**

**a. Indoor**

Number of seats (not including bar seats) 11  
Number of bar seats 7  
Standing room 0

**b. Outdoor**

Number of seats 82

**c. Number of employees**

BAND 0

**Total Occupancy**

(Indoor/Outdoor seats, standing room and employees) = 138

**2. Entertainment**

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

None

**3. Will a dance floor be provided?**

☐ Yes ☒ No

**3a. If yes,**

Square footage of establishment \_\_\_\_\_  
Square footage of dance floor \_\_\_\_\_

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569



- Floor Plan(s) Worksheet  
Entertainment Establishment

LAYOUT 2 (BAND INSIDE)

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area
  - Outdoor seating
  - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)	<u>38</u>
Number of bar seats	<u>7</u>
Standing room	<u>0</u>

b. Outdoor

Number of seats	<u>82</u>
-----------------	-----------

c. Number of employees

<u>BAND</u>	<u>5</u>
	<u>5</u>

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 137

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke,  
comedian, or poetry reading.

5 MEMBER LIVE BAND, SPEAKER

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment \_\_\_\_\_

Square footage of dance floor \_\_\_\_\_

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

**Floor Plan(s) Worksheet**  
**Entertainment Establishment**

LAYOUT 3 (BAND OUTSIDE)

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area
  - Outdoor seating
  - Total maximum capacity (including employees)

1. Total capacity

a. **Indoor**

Number of seats (not including bar seats)	<u>44</u>
Number of bar seats	<u>7</u>
Standing room	<u>0</u>

b. **Outdoor**

Number of seats	<u>80</u>
-----------------	-----------

c. **Number of employees**

BAND	<u>5</u>
	<u>5</u>

**Total Occupancy**

(Indoor/Outdoor seats, standing room and employees) = 141

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading

5 MEMBER LIVE BAND, SPEAKER

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment \_\_\_\_\_

Square footage of dance floor \_\_\_\_\_

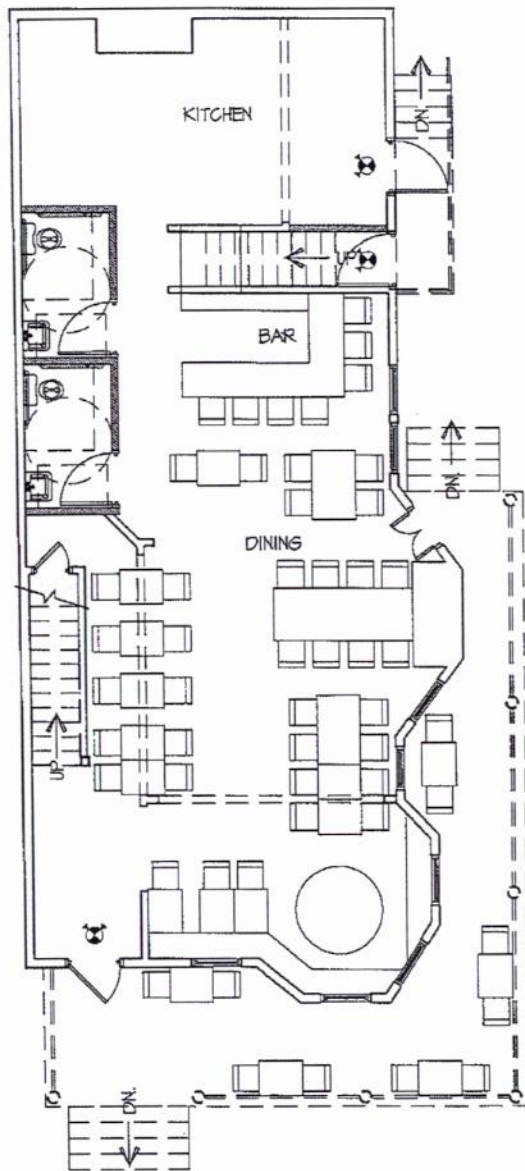
- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

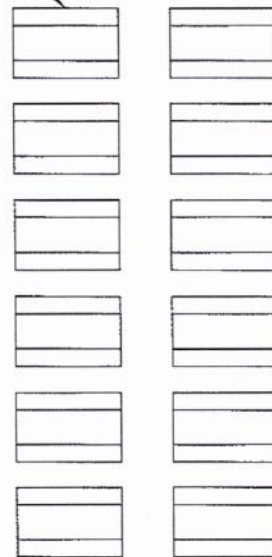
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569



NOTE: SEE SITE PLAN

PICNIC TABLE, SEATS 6, TYP.

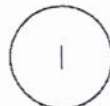
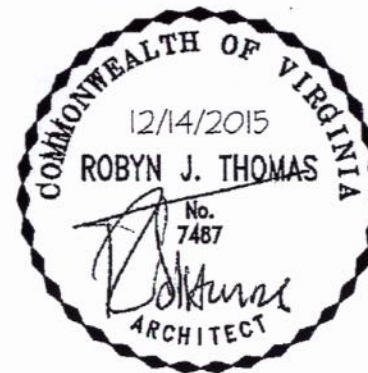


#### CODE COMPLIANCE

CONSTRUCTION TYPE: 5b  
 USE GROUP: SEPARATED MIXED USE  
 B- BUSINESS USE 1ST FLOOR (PROPOSED)  
 R-3 RESIDENTIAL USE 2ND/3RD FLOOR  
 (EXISTING USE)  
 ALLOWABLE HEIGHTS AND AREAS (PER IBC  
 2012 TABLE 503)  
 FIRST FL: B - BUSINESS 2 STORIES / 9,000  
 SF  
 SECOND & THIRD FLOORS: R-3 -  
 RESIDENTIAL (EXISTING USE) 3 STORIES / UL  
 ACTUAL HEIGHTS AND AREAS  
 FIRST FL: B - BUSINESS 1 STORY / 1100 SF  
 SECOND FLOOR: R-3 - RESIDENTIAL  
 (EXISTING USE) 1 STORY / 1182 SF  
 THIRD FLOOR: R-3 - RESIDENTIAL (EXISTING  
 USE)  
 1 STORY / 594 SF

#### OCCUPANCY CALCULATIONS

INDOOR SEATING	44
INDOOR BAR SEATING	7
OUTDOOR SEATING	82
BAND	0
STAFF	5
TOTAL	138

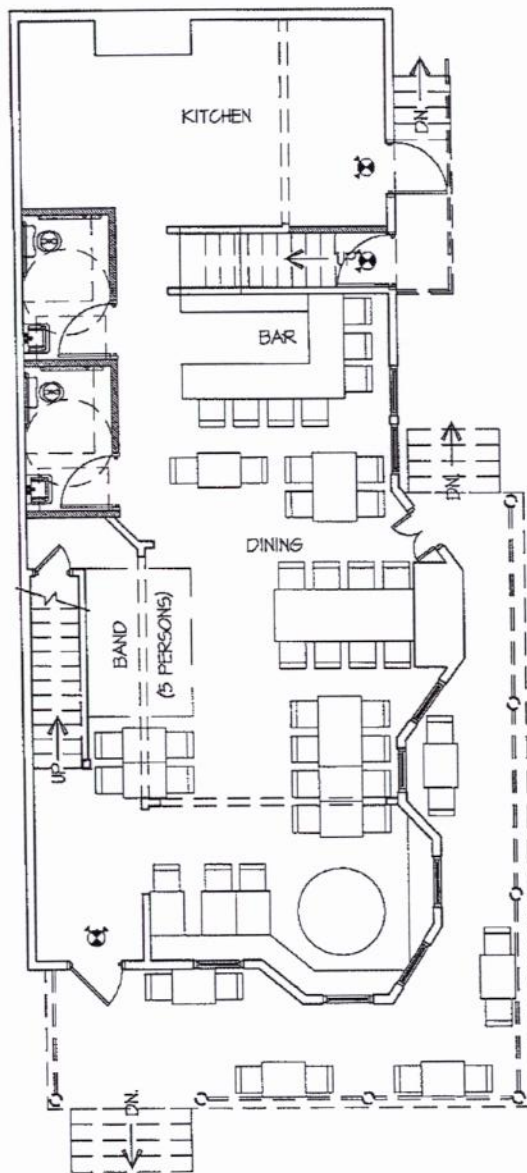


2410 COLONIAL AVE. FIRST FLOOR PLAN

SCALE: 3/32" = 1'-0"

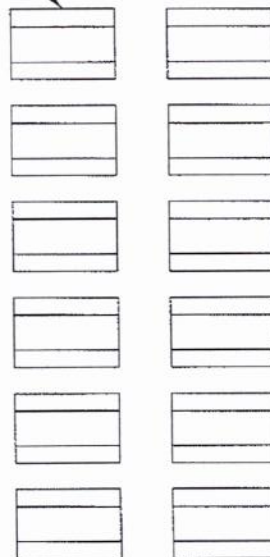
Exhibit B





NOTE: SEE SITE PLAN

PICNIC TABLE, SEATS 6, TYP.

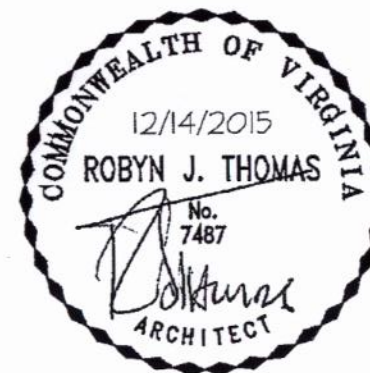


#### CODE COMPLIANCE

CONSTRUCTION TYPE: 5b  
 USE GROUP: SEPARATED MIXED USE  
 B- BUSINESS USE 1ST FLOOR (PROPOSED)  
 R-3 RESIDENTIAL USE 2ND/3RD FLOOR  
 (EXISTING USE)  
 ALLOWABLE HEIGHTS AND AREAS (PER IBC  
 2012 TABLE 503)  
 FIRST FL: B - BUSINESS 2 STORIES / 9,000  
 SF  
 SECOND & THIRD FLOORS: R-3 -  
 RESIDENTIAL (EXISTING USE) 3 STORIES / UL  
 ACTUAL HEIGHTS AND AREAS  
 FIRST FL: B - BUSINESS 1 STORY / 1100 SF  
 SECOND FLOOR: R-3 - RESIDENTIAL  
 (EXISTING USE) 1 STORY / 1182 SF  
 THIRD FLOOR: R-3 - RESIDENTIAL (EXISTING  
 USE)  
 1 STORY / 594 SF

#### OCCUPANCY CALCULATIONS

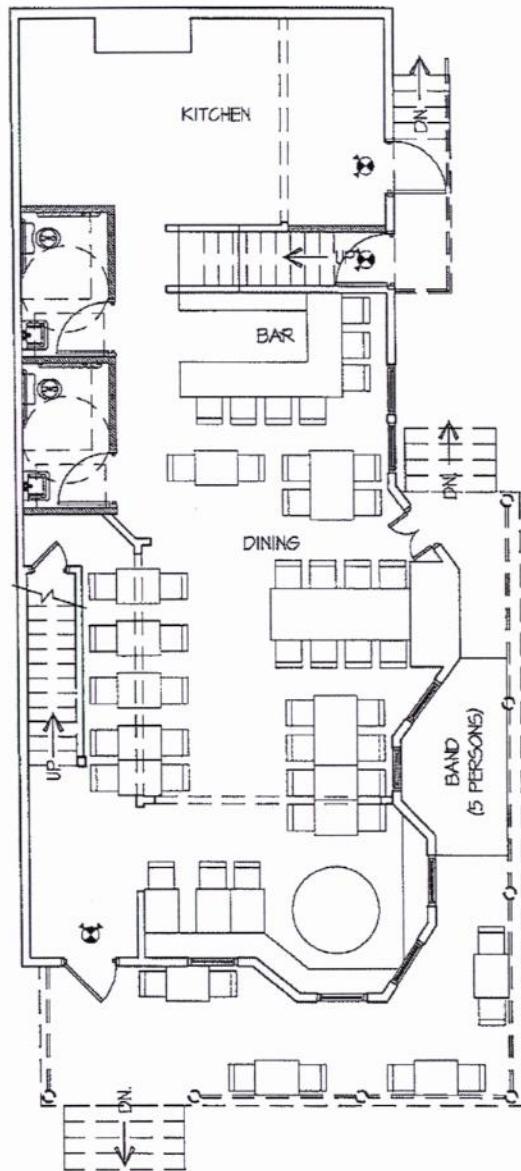
INDOOR SEATING	38
INDOOR BAR SEATING	7
OUTDOOR SEATING	82
BAND	5
STAFF	5
TOTAL	137



2

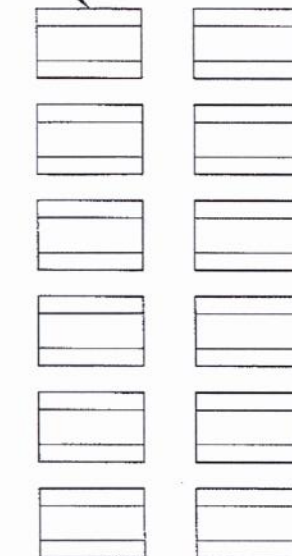
2410 COLONIAL AVE. FIRST FLOOR PLAN

SCALE: 3/32" = 1'-0"



NOTE: SEE SITE PLAN

PICNIC TABLE, SEATS 6, TYP.

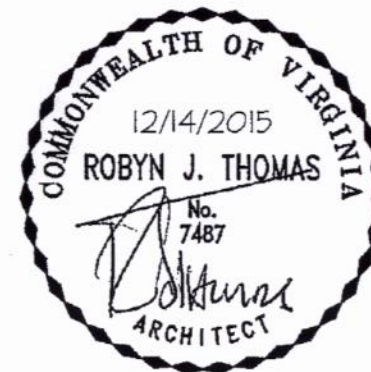


#### CODE COMPLIANCE

CONSTRUCTION TYPE: 5b  
 USE GROUP: SEPARATED MIXED USE  
 B- BUSINESS USE 1ST FLOOR (PROPOSED)  
 R-3 RESIDENTIAL USE 2ND/3RD FLOOR  
 (EXISTING USE)  
 ALLOWABLE HEIGHTS AND AREAS (PER IBC  
 2012 TABLE 503)  
 FIRST FL: B - BUSINESS 2 STORIES / 9,000  
 SF  
 SECOND & THIRD FLOORS: R-3 -  
 RESIDENTIAL (EXISTING USE) 3 STORIES / UL  
 ACTUAL HEIGHTS AND AREAS  
 FIRST FL: B - BUSINESS 1 STORY / 1100 SF  
 SECOND FLOOR: R-3 - RESIDENTIAL  
 (EXISTING USE) 1 STORY / 1182 SF  
 THIRD FLOOR: R-3 - RESIDENTIAL (EXISTING  
 USE)  
 1 STORY / 544 SF

#### OCCUPANCY CALCULATIONS

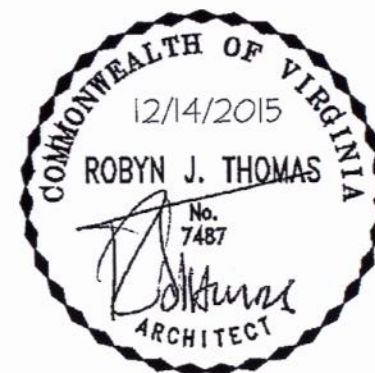
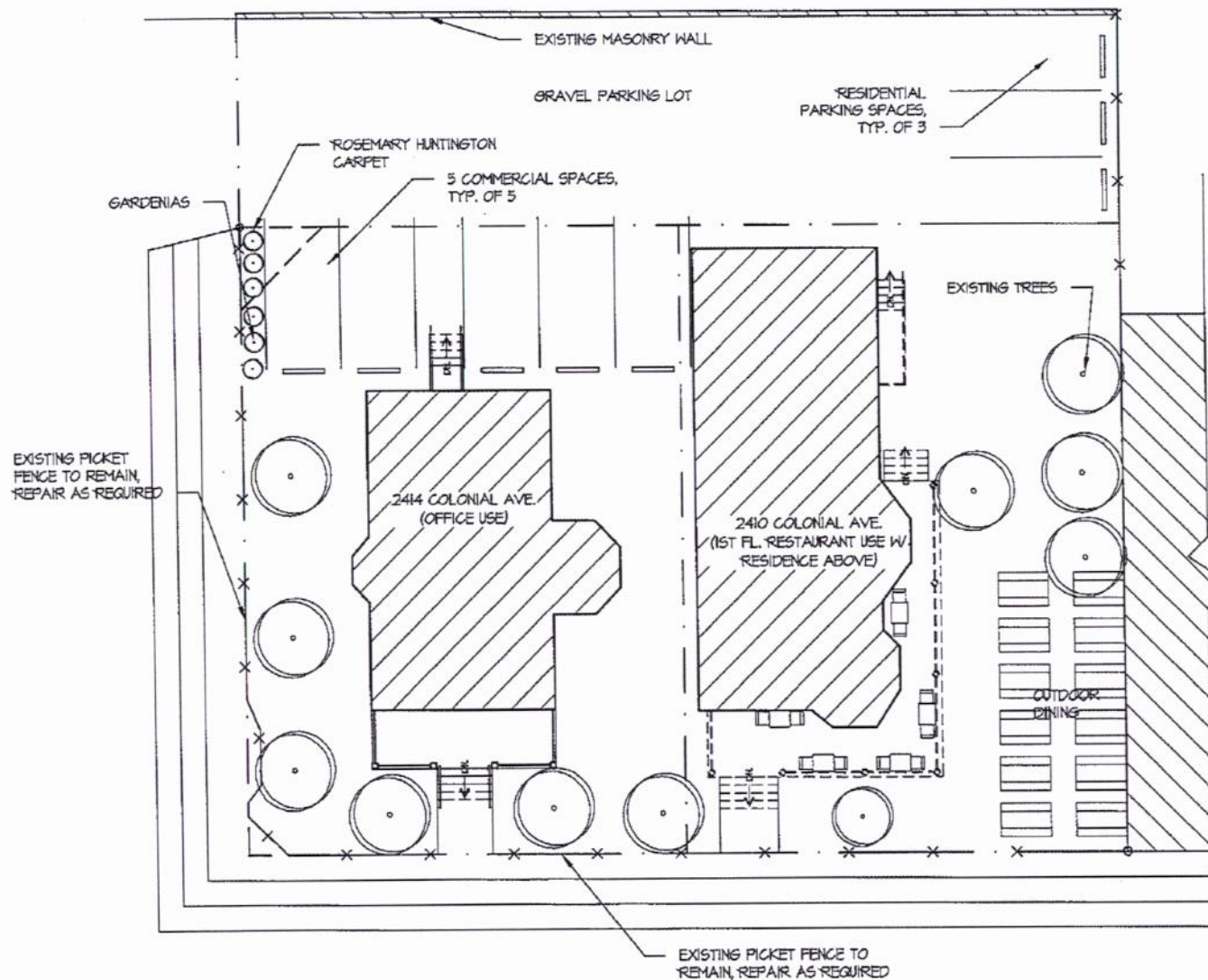
INDOOR SEATING	44
INDOOR BAR SEATING	7
OUTDOOR SEATING	80
BAND	5
STAFF	5
TOTAL	141



3

2410 COLONIAL AVE. FIRST FLOOR PLAN

SCALE: 3/32" = 1'-0"

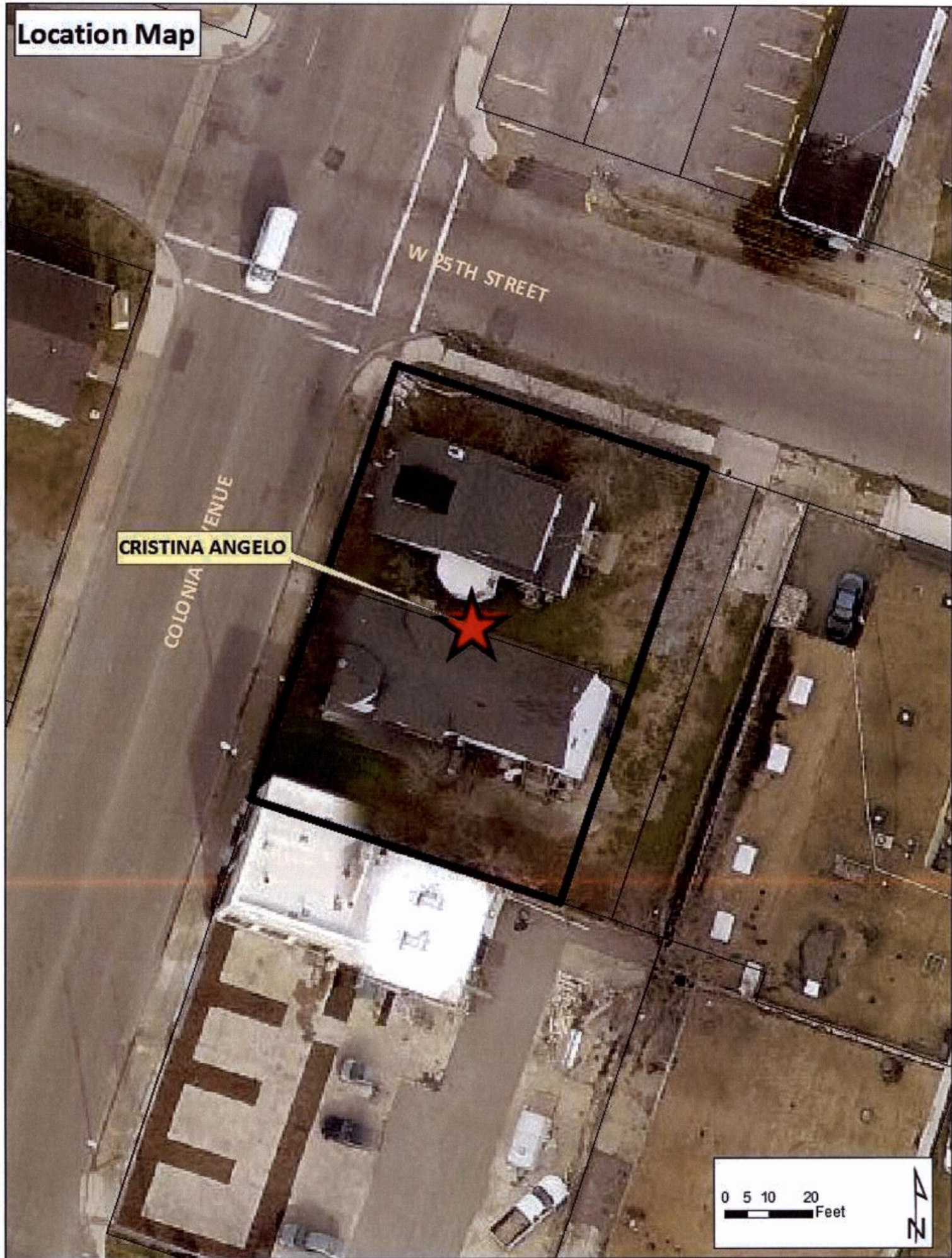


4 2410/2414 COLONIAL AVE. SITE PLAN

SCALE: 1" = 20'-0"



**Location Map**



**CRISTINA ANGELO**

W 25TH STREET

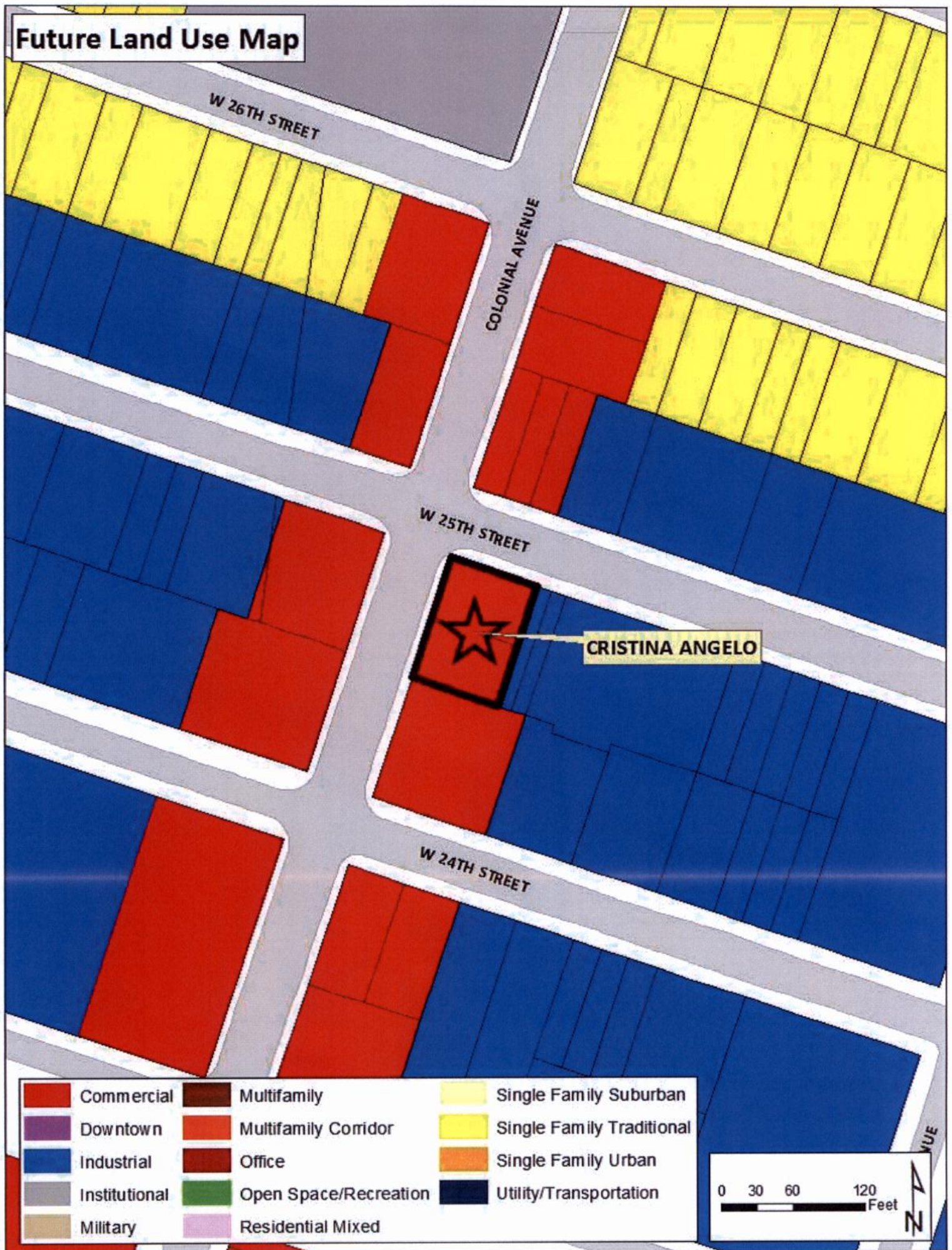
COLONIA AVENUE

0 5 10 20 Feet

N



# Future Land Use Map



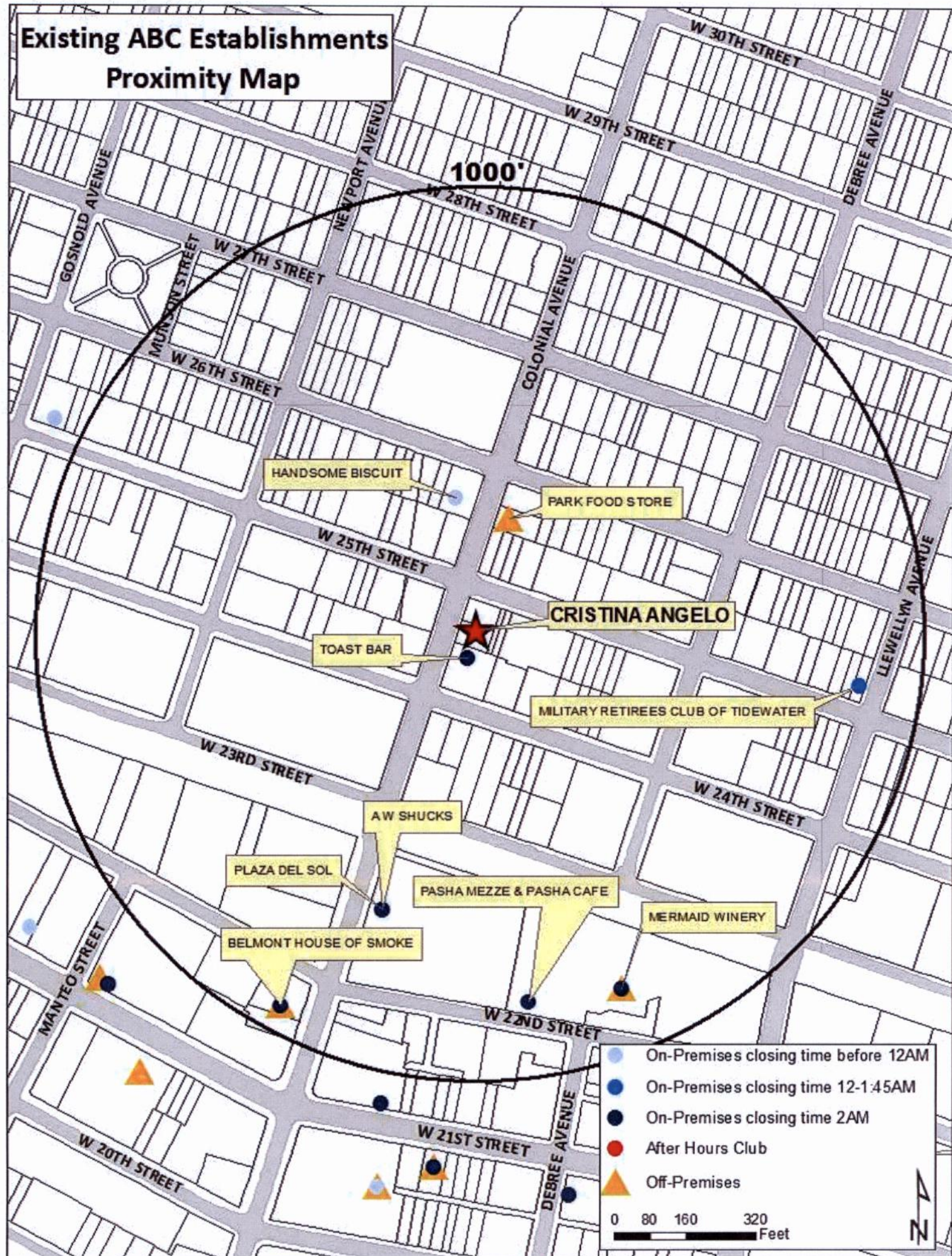


# Zoning Map





# Existing ABC Establishments Proximity Map







## APPLICATION CONDITIONAL CHANGE OF ZONING

Date of application: 12/14/15

### Conditional Change of Zoning

From: I-2 Zoning To: Conditional C-2 Zoning

### DESCRIPTION OF PROPERTY

Property location: (Street Number) 2410 and 2414 (Street Name) Colonial Ave.  
Norfolk, VA 23517

Existing Use of Property: vacant

Current Building Square Footage 2817 and 1500 sqft.

Proposed Use commercial lease, residential lease and restaurant

~~Proposed Building Square Footage~~ \_\_\_\_\_

Trade Name of Business (If applicable) Philomena, LLC

### APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Angelo (First) Cristina (MI) T

Mailing address of applicant (Street/P.O. Box): 545 Warren Crescent #7

(City) Norfolk (State) VA (Zip Code) 23507

Daytime telephone number of applicant (1st) 805-1727 Fax ( ) \_\_\_\_\_

E-mail address of applicant: cristina.angelo1984@gmail.com

### DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

Application  
Conditional Rezoning  
Page 2

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) \_\_\_\_\_ (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): \_\_\_\_\_

(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code) \_\_\_\_\_

Daytime telephone number of applicant ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail address of applicant: \_\_\_\_\_

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

*Southern Bank and Trust Co.*  
3. Name of property owner: (Last) Reed (First) Craig (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 3720 Virginia Beach Blvd.

(City) Virginia Beach (State) VA (Zip Code) 23452

Daytime telephone number of owner (757) 446-9430 email: Craig.reed@southernbank.com

CIVIC LEAGUE INFORMATION

Civic League contact: Paric Place Civic League Frank Krskn

Date(s) contacted: \_\_\_\_\_ 354-1669

Ward/Super Ward information: \_\_\_\_\_

DEPARTMENT OF CITY PLANNING  
810 Union Street, Room 508  
Norfolk, Virginia 23510  
Telephone (757) 664-4752 Fax (757) 441-1569  
(Revised January, 2015)



**REQUIRED ATTACHMENTS**

- ✓ Required application fee, \$705.00 (if check, make payable to the City of Norfolk).
  - Application fee includes a non-refundable \$5 technology surcharge.
  - If accompanied with a necessary map amendment to the City's adopted general plan, *plaNorfolk2030*, an additional technology surcharge of \$5 will be required.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- ✓ One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- ✓ Proffered conditions.
- ✓ Written description and details of the operation of the business (i.e., # of employees, # of bays, reason for rezoning, etc...)

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Craig Reed Sign: [Signature] 1/21/2015  
(Property Owner) (Date)

Print name: Cristina Angelo Sign: [Signature] 1/21/2015  
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: \_\_\_\_\_ Sign: \_\_\_\_\_ / \_\_\_\_\_  
(Authorized Agent Signature) (Date)

PROFERRED CONDITIONS

1) Any Modifications to the exterior of the building will be in accordance with the Department of Historic Resources or the Norfolk Architectural Review Board based on the City of Norfolk Historic Design Guidelines

2) \_\_\_\_\_

3) \_\_\_\_\_

4) \_\_\_\_\_

5) \_\_\_\_\_

6) \_\_\_\_\_

Print name: Cristina Angelo Sign: Cristina Angelo 12/25/16  
(Applicant) (Date)

Print name: Cristina Angelo Sign: C. Angelo 2/25/16  
(Property Owner or Authorized Agent of Signature) (Date)



APPLICATION  
ADULT USE SPECIAL EXCEPTION  
ENTERTAINMENT ESTABLISHMENT  
(Please Print)

Date 12/14/15

**DESCRIPTION OF PROPERTY**

Address 2410 Colonial Ave, Norfolk, VA 23517, Ste. A

Existing Use of Property vacant

Proposed Use Restaurant

Current Building Square Footage 1100 sqft

Proposed Building Square Footage 1100 sqft

Trade Name of Business (If applicable) Mea Culpa

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Angelo (First) Cristina (MI) T

Mailing address of applicant (Street/P.O. Box): 545 Warren Crescent #7

(City) Norfolk (State) VA (Zip Code) 23517

Daytime telephone number of applicant (757) 805-1727 Fax ( ) \_\_\_\_\_

E-mail address of applicant: cristina.angelo1984@gmail.com

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569



**Application  
Entertainment Establishment  
Page 2**

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) \_\_\_\_\_ (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): \_\_\_\_\_

(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code) \_\_\_\_\_

Daytime telephone number of applicant ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail address of applicant: \_\_\_\_\_

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Southern Bank and Trust Co. Reed (First) Craig (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 3720 Virginia Beach Blvd.

(City) Virginia Beach (State) VA (Zip Code) 23452

Daytime telephone number of owner (757) 440-9450 email: craig.reed@southernbank.com

**CIVIC LEAGUE INFORMATION**

Civic League contact: Park Place Civic League Frank Knsten

Date(s) contacted: \_\_\_\_\_ 354-1669

Ward/Super Ward information: \_\_\_\_\_

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

REQUIRED ATTACHMENTS

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

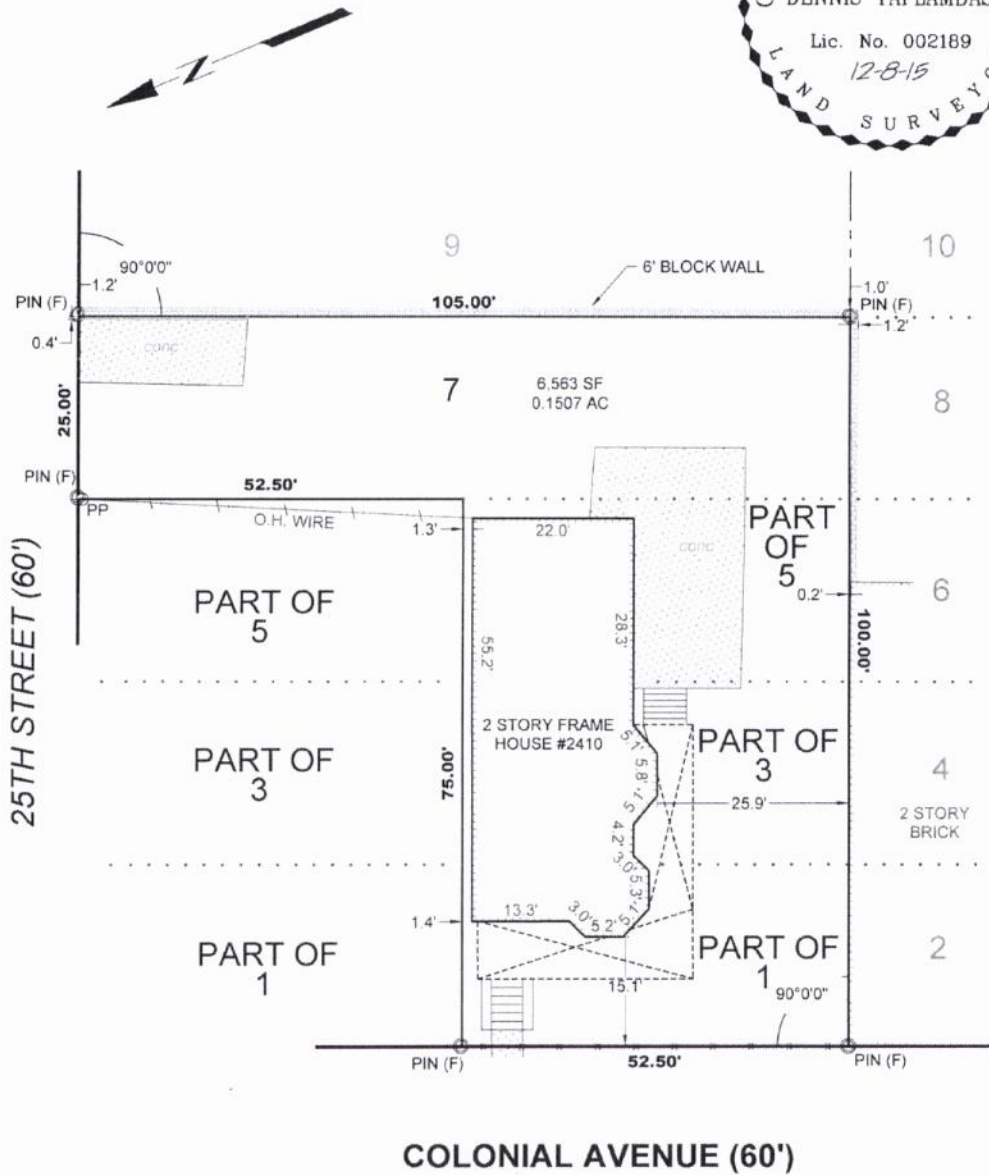
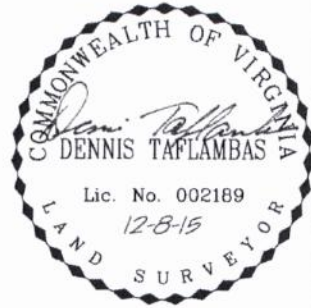
Print name: Crew Reed Sign: [Signature] / 12-14 / 2015  
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Cristina Angelo Sign: [Signature] / Dec 14 / 2015  
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: \_\_\_\_\_ Sign: \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
(Authorized Agent Signature) (Date)

1. THIS IS TO CERTIFY THAT I, ON DECEMBER 8, 2015, SURVEYED THE PROPERTY SHOWN ON THIS PLAT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THE ONLY EASEMENTS APPEARING ON THIS SURVEY ARE THOSE WHICH WERE SHOWN ON THE RECORDED SUBDIVISION PLAT UNLESS OTHERWISE NOTED.
2. THIS PROPERTY APPEARS TO FALL IN FLOOD ZONE(S) X AS SHOWN ON THE N.F.I.P. MAP FOR THE CITY OF NORFOLK, MAP/PANEL 510104-0130G, DATED SEPTEMBER 2, 2009. BASE FLOOD ELEVATION: N/A FINISHED FLOOR ELEVATION: N/A



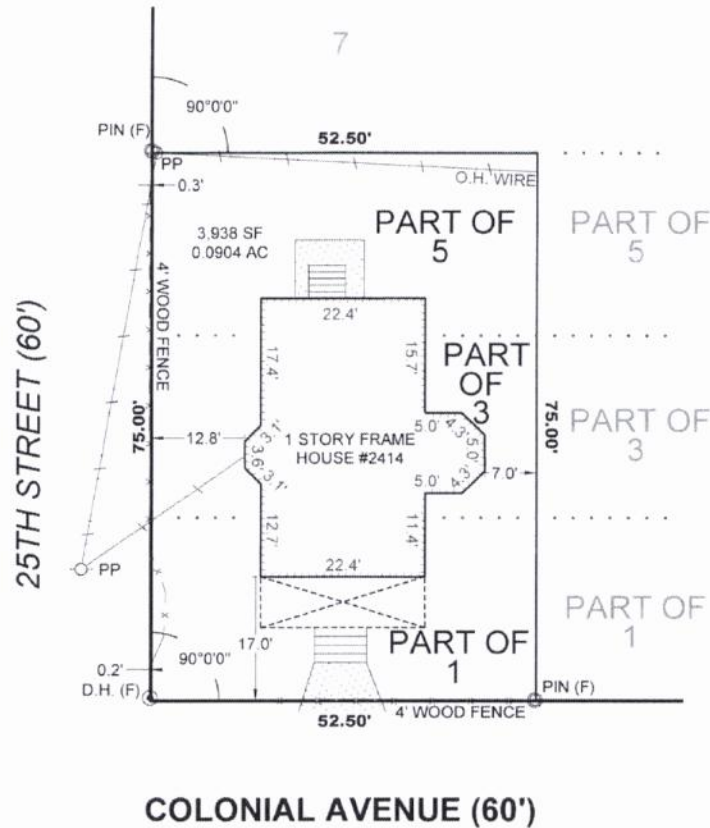
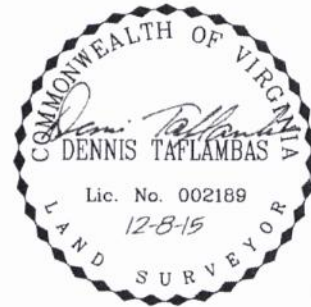
**DKT Associates**  
LAND SURVEYORS

1100 GRANBY STREET  
SUITE 100  
NORFOLK, VIRGINIA 23510  
(757) 588-5888 FAX: (757) 588-5880

PHYSICAL SURVEY OF <b>LOT 7 AND PARTS OF          LOTS 1, 3, AND 5          BLOCK 55 OF          PARK PLACE</b> NORFOLK, VIRGINIA M.B.1 P.8A & 8B			
FOR: <b>CRISTINA ANGELO</b>			
DRAWN	KR	SCALE	1" = 20'
CHECK	DT	JOB	10959
DATE	12-8-15	REVISED	-
FIELD BOOK	161-25	SHEET	1 OF 1



1. THIS IS TO CERTIFY THAT I, ON DECEMEBR 8, 2015, SURVEYED THE PROPERTY SHOWN ON THIS PLAT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THE ONLY EASEMENTS APPEARING ON THIS SURVEY ARE THOSE WHICH WERE SHOWN ON THE RECORDED SUBDIVISION PLAT UNLESS OTHERWISE NOTED.
2. THIS PROPERTY APPEARS TO FALL IN FLOOD ZONE(S) X AS SHOWN ON THE N.F.I.P. MAP FOR THE CITY OF NORFOLK, MAP/PANEL 510104-0130G, DATED SEPTEMBER 2, 2009. BASE FLOOD ELEVATION: N/A FINISHED FLOOR ELEVATION: N/A



**DKT Associates**  
LAND SURVEYORS

1100 GRANBY STREET  
SUITE 100  
NORFOLK, VIRGINIA 23510  
(757) 588-5888 FAX: (757) 588-5880

PHYSICAL SURVEY OF <b>PARTS OF LOTS 1, 3, AND 5 BLOCK 55 OF PARK PLACE</b> NORFOLK, VIRGINIA M.B.1 P.8A			
FOR:		<b>CRISTINA ANGELO</b>	
DRAWN	KR	SCALE	1" = 20'
CHECK	DT	JOB	10960
DATE	12-8-15	REVISED	-
FIELD BOOK	161-25	SHEET	1 OF 1



**APPLICATION  
SPECIAL EXCEPTION**

Special Exception for:

Mixed Use

Date of application:

12/14/15

**DESCRIPTION OF PROPERTY**

Property location: (Street Number) 2410 (Street Name) Colonial Ave, Ste. B

Existing Use of Property vacant

Current Building Square Footage 2877 sq. ft

Proposed Use restaurant on first floor and two-story  
residential rental on second and third floors

Proposed Square Footage \_\_\_\_\_

Proposed Hours of Operation:

~~Weekday From \_\_\_\_\_ To \_\_\_\_\_~~

~~Friday From \_\_\_\_\_ To \_\_\_\_\_~~

~~Saturday From \_\_\_\_\_ To \_\_\_\_\_~~

~~Sunday From \_\_\_\_\_ To \_\_\_\_\_~~

Trade Name of Business (If applicable) \_\_\_\_\_

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)



Application  
Special Exception  
Page 2

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Philomena, LLC  
Angelo (First) Cristina (MI) T

Mailing address of applicant (Street/P.O. Box): 545 Warren Crescent

(City) Norfolk (State) VA (Zip Code) 23507

Daytime telephone number of applicant (757) 805-1727 Fax ( ) \_\_\_\_\_

E-mail address of applicant: Cristina.angelo1984@gmail.com

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) \_\_\_\_\_ (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): \_\_\_\_\_

(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code) \_\_\_\_\_

Daytime telephone number of applicant ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail address of applicant: \_\_\_\_\_

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Southern Bank and Trust Co.  
Reed (First) Craig (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 3720 Virginia Beach Blvd

(City) Virginia Beach (State) VA (Zip Code) 23452

Daytime telephone number of owner (757) 446-9430 email: craig.reed@southernbank.com

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(Revised January, 2015)

**CIVIC LEAGUE INFORMATION**

Civic League contact: Park Place Civic League Frank Kinsten

Date(s) contacted: 3-4-1669

Ward/Super Ward information: \_\_\_\_\_

**REQUIRED ATTACHMENTS:**

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
  - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- ✓ One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Craig Reed Sign: [Signature] / 12-14 / 2015  
(Property Owner) (Date)

Print name: Cristina Angulo Sign: [Signature] / 12-14 / 2015  
(Applicant) (Date)

**ONLY NEEDED IF APPLICABLE:**

Print name: \_\_\_\_\_ Sign: \_\_\_\_\_ / \_\_\_\_\_  
(Authorized Agent Signature) (Date)

**DEPARTMENT OF CITY PLANNING**

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Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)



## Simons, Matthew

---

**From:** Straley, Matthew  
**Sent:** Wednesday, December 16, 2015 11:09 AM  
**To:** fjkriston@gmail.com  
**Cc:** Whibley, Terry; Williams, Angelia M.; Wilson, Denise  
**Subject:** new Planning Commission application - 2410-2414 Colonial Avenue  
**Attachments:** philomena\_rezoning.pdf

Mr. Kriston,

Attached please find the application for a change of zoning from I-2 (Light Industrial) district to conditional C-2 (Corridor Commercial) district at 2410-2414 Colonial Avenue.

The item is tentatively scheduled for the January 28, 2016 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Susan Pollock Hart* at (757) 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

Thank you.

### **Matthew Straley**

GIS Technician II

Norfolk Department of City Planning

810 Union Street, Suite 508 | Norfolk, Virginia 23510

[Matthew.Straley@norfolk.gov](mailto:Matthew.Straley@norfolk.gov) | Tel: 757-664-4769 | Fax: 757-441-1569

## Simons, Matthew

---

**From:** Straley, Matthew  
**Sent:** Wednesday, December 16, 2015 11:09 AM  
**To:** fjkriston@gmail.com  
**Cc:** Whibley, Terry; Williams, Angelia M.; Wilson, Denise; Pollock, Susan  
**Subject:** new Planning Commission applications - 2410 Colonial Avenue  
**Attachments:** mea culpa\_entertainment.pdf; mea culpa\_mixed uses.pdf

Mr. Kriston,

Attached please find the following applications at 2410 Colonial Avenue:

- a. Special exception to operate an entertainment establishment with alcoholic beverages.
- b. Special exception for mixed uses.

The item is tentatively scheduled for the January 28, 2016 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Susan Pollock Hart* at (757) 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

Thank You.

### **Matthew Straley**

GIS Technician II  
Norfolk Department of City Planning  
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